

US EPA ARCHIVE DOCUMENT

Program Evaluation Report
Sacramento County Area-wide Stormwater Program
City of Elk Grove
(NPDES Permit No. CAS082597)

Executive Summary

In April 2005 Tetra Tech, Inc., with assistance from the California Regional Water Quality Control Board, Central Valley Region, conducted a program evaluation of the City of Elk Grove's Stormwater Quality Improvement Plan. The purpose of the program evaluation was to determine the City's compliance with the National Pollutant Discharge Elimination System permit (CAS082597 and Board Order No. R5-2002-0206) and to evaluate the current implementation status of the City's Stormwater Quality Improvement Plan (SQIP) with respect to EPA's stormwater regulations. The program evaluation included a comprehensive office and in-field verification of most aspects of program implementation.

This program evaluation report identifies potential permit violations, program deficiencies, and positive attributes and is not a formal finding of violation. Program deficiencies are areas of concern for successful program implementation. Positive attributes indicate overall progress in implementing the program.

The following potential permit violations and program deficiencies are considered the most significant:

- The City lacks adequate measures to evaluate and assess the effectiveness of its best management practices (BMPs).
- The City does not have a centralized database or electronic tracking system for the management, monitoring, and reporting of many of its program elements.
- The City has not developed an implementation strategy and schedule to implement its stormwater program.
- The City does not require developers to submit adequate erosion and sediment control plans.
- The City has not developed a written plan for prioritizing construction sites for inspections or follow-up.
- The City has not developed a BMP selection guide to ensure that the BMPs implemented are appropriate and adequate for the site conditions and characteristics.
- The City has not established sizing criteria for its structural/treatment BMPs.
- The City does not properly audit or monitor the treatment/structural BMPs installed at commercial and industrial sites.
- The City's construction site inspection staff is not adequately trained.

- The City has not developed a construction site inspection checklist tailored to the stormwater program.
- The City has not developed a stormwater pollution prevention plan (SWPPP) for its corporation yard.
- The City has not entered into a written agreement with the Community Services District (CSD) to implement elements of its program and has not provided training to the CSD or adequate oversight of CSD activities.
- The City has not conducted an assessment and evaluation of its current municipal activities to ensure that adequate and appropriate BMPs are being implemented.

Several elements of the City's SQIP were particularly notable:

- The City's stormwater program has strong leadership.
- The Water Resources Department has three dedicated SWPPP inspectors.
- The City recently constructed a new corporation yard, which has minimized the activities to be conducted outdoors, and implemented new development BMPs.

CONTENTS

Executive Summary	i
1.0 Introduction	1
1.1 Program Evaluation Purpose	1
1.2 Permit History	1
1.3 Logistics and Program Evaluation Preparation	1
1.4 Program Areas Evaluated	2
1.5 Program Areas Not Evaluated	2
1.6 Program Areas Recommended for Further Evaluation	3
2.0 Program Evaluation Results	3
2.1 Evaluation of Program Management	3
2.2 Evaluation of Construction and New Development Program	5
2.3 Evaluation of Municipal Facilities Program	10
2.4 Evaluation of Industrial/Commercial Inspection Program	12
2.5 Evaluation of Public Outreach and Training	12

US EPA ARCHIVE DOCUMENT

1.0 Introduction

1.1 Program Evaluation Purpose

The purpose of the program evaluation was to determine the permittees' compliance with the National Pollutant Discharge Elimination System (NPDES) permit (CAS082597 and Board Order No. 5R5-2002-0206) and to evaluate the current implementation status of the permittees' performance standards with respect to EPA's stormwater regulations. Secondary goals included the following:

- Review the overall effectiveness of the City's Stormwater Quality Improvement Plan (SQIP).
- Acquire data to assist in reissuance of the permit.

Title 40 of the *Code of Federal Regulations* (CFR), section 122.41(i), provides the authority to conduct the program evaluation.

1.2 Permit History

The NPDES stormwater permit was issued on December 6, 2002, and is scheduled to expire on December 1, 2007. The current permit requires each permittee to follow the Sacramento SQIP issued in July 2003 and updated in April 2004 and associated performance standards. The performance standards specify the level of effort required of each permittee and are essentially best management practices (BMPs) that each permittee must implement.

1.3 Logistics and Program Evaluation Preparation

Before initiating the on-site program evaluation, the Tetra Tech, Inc., program evaluation team reviewed the following City of Elk Grove materials:

- NPDES Permit No. CAS082597
- Executive Summary and Joint Program Activities contained in Chapters 1 through 3 of the SQIP (July 2003, updated April 2004)
- Elk Grove's City-specific SQIP contained in Chapter 6 of the SQIP (July 2003, updated August 2004)
- Elk Grove's Stormwater Program Workplan (July 2004)
- Elk Grove's 2003/2004 annual report
- California Regional Water Quality Control Board, Central Region (Regional Board) correspondence with the City of Elk Grove

On April 12–14, 2005, Tetra Tech, Inc., conducted the program evaluation. The evaluation schedule is provided on page 2.

Upon completion of the evaluation, an exit interview was held to discuss the preliminary findings. During the exit interview, the attendees were informed that the findings were to be considered preliminary pending further review by EPA and the Regional Board.

Date	Activity
Tuesday, April 12, 2005	
Morning	Program Management; Construction and New Development (office)
Afternoon	New Development and Construction Controls (office)
Wednesday, April 13, 2005	
Morning	New Development and Construction Controls (field)
Afternoon	New Development and Construction Controls (field) Maintenance Activities (office)
Thursday, April 14, 2005	
Morning	Maintenance Activities (field) Inspection Activities (office)
Afternoon	Public Education (office) Program Evaluation (office) Outbrief (office)

1.4 Program Areas Evaluated

A comprehensive evaluation was conducted for most program areas. At the request of the Regional Board, a more detailed review of the New Development and Construction Controls program was conducted. As a result, some other program areas received only a brief overview or were not addressed during the evaluation. A brief description of the program areas evaluated is provided below.

1.5 Program Areas Not Evaluated

The following areas were not evaluated in detail as part of the program evaluation:

- Public education and industrial outreach (limited review due to time constraints)
- Field activities associated with industrial inspections
- Illicit discharge program
- Wet-weather monitoring program and monitoring program details (e.g., sample location, types, frequency, parameters)
- Inspection reports, plan review reports, and other relevant files. The program evaluation team did not conduct a detailed file review to verify that all elements of the City's Program were being implemented as described. Instead, observations by the evaluation team and statements from the permittees' representatives were used to assess overall compliance with permit requirements. A detailed file review of specific program areas could be included in a subsequent evaluation.

1.6 Program Areas Recommended for Further Evaluation

The evaluation team recommends the following additional assessments:

- Additional evaluations of new development and construction program activities
- Field visits and audits of the industrial inspection program
- More intensive review and field visit of BMPs for municipal maintenance activities
- More intensive review and field visits of BMPs implemented by the Elk Grove Community Services District (CSD) for its municipal maintenance activities and construction activities conducted within the City limits

2.0 Program Evaluation Results

This program evaluation report identifies potential permit violations, program deficiencies, and positive attributes and is not a formal finding of violation. Program deficiencies are areas of concern for successful program implementation. Positive attributes indicate the permittee's overall progress in implementing the City of Elk Grove's SQIP. The evaluation team identified only positive attributes that were innovative (beyond minimum requirements). Some areas were found to be simply adequate; that is, not particularly deficient or innovative. The evaluation team did not evaluate all components of the City's program. Therefore, the permittees should not consider the enclosed list of violations, deficiencies, and attributes a comprehensive evaluation of individual program elements.

The most significant potential permit violations, program deficiencies, and positive attributes identified during the evaluation are noted in the Executive Summary and are identified with text boxes in the following subsections.

2.1 Evaluation of Program Management

Potential Permit Violations

- *The City lacks adequate measures to evaluate and assess the effectiveness of its BMPs.*

Provision C.13 of the City's permit requires the City to assess the effectiveness of its SQIP through the use of direct and indirect measures. In 2003/2004 almost all the BMPs implemented were characterized as "effective"; however, the City has not developed measures or tools by which effectiveness is to be determined, confirmed, or validated. For example, during the field portion of the evaluation for construction site inspections, deficiencies were noted that indicate additional training of field inspectors for the City is warranted, yet the 2003/2004 Annual Report indicated that the construction inspection activities and construction inspector training were "effective." Merely implementing a performance standard might or might not indicate that the BMP itself is effective. The City should develop measures or tools to help in assessing and evaluating whether a BMP or components of BMPs have been implemented and are effective, or tools or processes by which BMP effectiveness can

be confirmed or validated. The City of Elk Grove should use the experiences and efforts of other MS4 programs within the County of Sacramento's area-wide municipal permit area, as well as other MS4 cities throughout California, to develop and implement program evaluation tools. For additional information on program effectiveness, the City should review the presentations from the November 14, 2003, meeting of the California Storm Water Quality Association. That meeting focused on MS4 program effectiveness and how MS4s can document such effectiveness. The presentation materials are available at <http://www.casqa.org/meetings/presentations.html>.

Deficiencies Noted:

- *The City does not have a centralized database or electronic tracking system for the management, monitoring, and reporting of many of its program elements.*

The City's staff tracks most of its activities manually, and the information is compiled manually once a year for reporting to the Regional Board. The City has not developed or implemented the use of standardized forms for tracking and reporting activities or other information needed by the City to demonstrate compliance and assess effectiveness. Collecting information once a year makes program evaluation and compliance complex tasks and makes it difficult to resolve issues or concerns. The City should consider implementing standard reporting formats; procedures for more frequent reporting (at a minimum quarterly); and an electronic tracking system to store, compile, analyze, and report stormwater program activities.

- *The City has not developed an implementation strategy and schedule to implement its stormwater program.*

The City of Elk Grove recently incorporated and took over full control of the part of the County of Sacramento's stormwater quality program within the City's limits in July 2003. The City has not developed a strategy and schedule for the integration of the County's stormwater program into the City's programs and activities. Integration includes reviewing, revising, and developing activities, documents, and other materials needed to make the County's stormwater program meet the site-specific needs, characteristics, and priorities of the City. The evaluation team noted that the City had implemented many changes to the County's program or implemented new activities or items within the 30 to 60 days prior to the City's evaluation. The City should develop and implement a strategy to prioritize and schedule the full integration of the stormwater quality program into the City's organization. Focus should be placed on those activities where the City is most prone to immediate noncompliance with its permit, such as new development and construction, legal authorities, and municipal operations.

Positive Attribute:

- *The City's stormwater program has strong leadership.*

Most of the activities implemented for the City's stormwater program report to the Public Works Director. This type of management removes the typical multi-

department/activity management difficulties faced by many MS4s throughout California by ensuring that the multiple departments within the MS4 organization tasked with implementing the various program requirements report to the manager responsible for compliance with the City's permit. Staff within the Water Resources Department that report directly to the Public Works Director are responsible for implementing the program, assessing program effectiveness, and reporting to the Regional Board. The Water Resources staff is actively involved in all aspects of program implementation.

- *The Water Resources staff maintains a strong presence with all City departments responsible for implementing elements of the City's stormwater program.* The Water Resources staff holds weekly meetings on Monday, Tuesday, Wednesday, and Friday with the different groups within the City that are responsible for implementing the program. Compliance with the City's stormwater program is a standing item on the meeting agendas. During these sessions the groups review project lists, work activities, and issues from the previous week; work or tasks to be conducted during the current week; and any questions or concerns staff might have regarding permit compliance. The manager of the Water Resources Group meets once a week with the Public Works Director to discuss department issues that includes an update and discussion of the City's stormwater program. The use of weekly staff meetings ensures that the stormwater program and its requirements are being addressed and discussed on a consistent and timely basis.

2.2 Evaluation of Construction and New Development Program

Potential Permit Violations

- *The City does not require developers to submit adequate erosion and sediment control plans.*

The City does not require an adequate combination of erosion and sediment control BMPs to be implemented on construction sites. The erosion and sediment control plans reviewed during the evaluation did not include sufficient notes or details to ensure that BMPs would be installed, maintained, and monitored properly. To be fully compliant, the City's erosion and sediment control program must be at least as stringent as the State's erosion and sediment control requirements established in the State of California's General Permit for Construction Activities. Although the City requires full retention of all runoff at construction sites, the developers are allowed to pump the water that has accumulated, and a review of the plans did not clearly indicate whether the water is disposed of in a manner that will not affect water quality. The City also requires treatment of construction site runoff but fails to require additional sediment and erosion control measures or other construction site BMPs. Runoff from the site is collected and treated to remove sediment, but whether other non-visible pollutants are also being treated or are being discharged is unknown. Observations made during the site visits indicated that sites that are implementing full retention and/or treatment do not implement any other types of BMPs to control waste, spills, fueling, and the like. Given the lack of other controls, the City cannot be certain that non-visible pollutants are not being discharged. The City needs to improve its erosion and sediment control plan requirements. The City

may refer to the *Erosion and Sediment Control Field Manual* developed for the San Francisco Regional Water Quality Control Board, which is available at <http://www.waterboards.ca.gov/stormwtr/training.html>. The City may also refer to a manual developed by the Minnesota Pollution Control Agency on how to conduct inspections entitled *Stormwater Construction Inspection Guide*; it is available at <http://www.pca.state.mn.us/publications/wq-strm2-10.pdf>.

- *The City has not developed a written plan for prioritizing construction sites for inspections or follow-up.*

Provision C.8.v. and the City's SQIP require the City to develop a plan for conducting construction site inspections. City representatives indicated during the evaluation that all sites are inspected; however, the City does not maintain an electronic system to track its inspections of sites. Elk Grove is one of the fastest growing cities in California. Given the significant construction activity within the community, the City should have a written plan for identifying and prioritizing inspections to ensure that the sites with the highest priority are given the attention necessary in accordance with permit requirements.

Deficiency Noted:

- *The City has not developed a BMP selection guide to ensure that the BMPs implemented are appropriate and adequate for the site conditions and characteristics.*

The City currently allows a project's design engineer to pick BMPs without prejudice as long as the BMPs are in the City's standard. The City has been requiring industrial and commercial development projects to implement "any" mechanical treatment without regard to previous studies and findings by the other MS4 permittees. This approach might have resulted in ineffective BMPs being installed, and it could negatively affect the City's overall compliance with its permit. The City should establish conditions under which certain BMPs might not be appropriate, and allow the City to deny the use of certain BMPs at its discretion. The City should better define the BMPs allowed under its new development program to ensure that appropriate BMPs are selected on the basis of project- and site-specific conditions and land use characteristics. For example, the City of Sacramento has implemented a technical guidance manual that identifies specific new development BMPs for commercial and industrial development. The manual provides fact sheets containing site, design, construction, operation, and maintenance standards and specifications for these BMPs. The manual allows a developer to propose equivalent, alternative BMPs in lieu of the approved BMPs provided adequate justification is provided. As an incentive for a developer to select City-approved BMPs, the manual indicates that plans submitted with the alternative BMPs will require additional time for review and approval, which could result in delays in final approval of the plans. The County of Ventura also provides a technical guidance manual, which is available at <http://www.vestormwater.org/publications.htm>.

- *City has not established sizing criteria for its structural/treatment BMPs.*

The City has not developed sizing criteria for its stormwater quality BMPs. As a result, developers might have designed stormwater BMPs that are oversized for the purposes of treating stormwater runoff or are not consistent with standard, acceptable design practices for stormwater quality BMPs. Requiring that the BMP be oversized could result in fewer BMPs being installed because of a developer's ability to successfully argue with City management or the City Council that the BMPs are unreasonable or cost-prohibitive. Provisions C.17 and C.18 of the City's permit require the City to establish numeric sizing criteria for new development BMPs. The City of Elk Grove should refer to the City and County of Sacramento's stormwater programs, which have established sizing criteria for BMPs; the City may also refer to the California Stormwater Quality Association (CASQA) BMP handbooks available at <http://www.casqa.org/meetings/presentations.html>.

- *The City does not properly audit or monitor the treatment/structural BMPs installed at commercial and industrial sites.*

According to City representatives, there are currently 80 underground separators installed in the City of Elk Grove that were constructed to treat stormwater runoff. Although the City required maintenance agreements for each of these treatment/structural BMPs, it has not required the owners/operators to monitor the BMPs or ensure the proper operation and maintenance of these systems. The City has required the owners/operators to submit reports to the City, but many facilities have not complied. The City has sent letters to those in noncompliance but has not increased its enforcement actions for the sites that remain noncompliant. The City conducts inspections during the summer but not during the winter or during storm events. Because the City conducts dry season inspections only, it cannot verify that the treatment BMPs are being properly operated and maintained during the winter or rainy season. The City has not developed a formal process or strategy to inspect these sites. Because these treatment BMPs were installed as a condition of development and to ensure that the City was and remains in compliance with its stormwater permit, the City should develop an inspection program for these sites to ensure that the BMPs are being properly operated and maintained. The City should develop an adequate enforcement strategy to address noncompliant owners and operators of BMPs. The City could consider an inspection fee and fines to recover its costs for implementing this element of its stormwater program.

- *The City has not developed written procedures for implementing the stormwater program through its development processes and has not revised existing checklists to include appropriate references to the stormwater requirements.*
- The City relies on input from its Water Resources staff responsible for the stormwater program to ensure that the Development Support Services Department adequately addresses new development and construction program requirements. Utilizing this staff is appropriate; however, additional tools are necessary to ensure program requirements are implemented effectively. Specific deficiencies noted during the evaluation include (1) lack of the City's tentative map checklist to address water quality issues; (2) lack of the City's development application package to include

outreach material addressing stormwater and use of checklists that do not include any reference to minimum BMPs or new development standards; (3) lack of standard checklists for City staff responsible for reviewing and approving plans; and (4) lack of standard citing, design, and O&M requirements for construction BMPs with which staff can validate the appropriateness and adequacy of BMP selection and design. Without written procedures, checklists, and other guidance materials, the City risks implementing a new development and construction program that is inconsistently applied by staff in the Water Resource Department, Development Support Services Department and in other City departments. This inconsistency could result in the City's being in noncompliance with its permit. In addition, lack of written procedures, processes and other guidance materials might result in a loss of continuity in the program due to staffing changes which may have a negative impact on the City's program and on the development and construction community within the City. The City should develop written procedures for implementing the new development and construction program and should develop checklists and other guidance materials necessary to ensure that staff adequately and consistently implements the City's program. In addition, Provision C.25 of the City's permit requires that the City provide targeted training to staff involved in new development. Once the City has developed its written materials and documents, the City should provide training to those staff required to implement and use them.

- *The City's construction site inspection staff is not adequately trained.*

During the field portion of the evaluation, the evaluation team noted that the inspectors are knowledgeable and aware of the stormwater program and its requirements; however, additional on-the-job training for engineering and SWPPP construction inspectors is required. During the audit, rain was anticipated within a few days. Deficiencies noted during the field inspection component of the evaluation included the following:

- The inspectors were not using inspection forms during their inspections to write observations while in the field. Notations were made to the form after the inspection was complete. Not using the checklist or form during the inspection could result in inconsistent and sometimes conflicting observations and findings.
- The inspectors did not consistently request or review erosion and sediment control plans or SWPPPs in the field. Plans in the possession of the inspectors were not current with site conditions or the phase of construction.
- A City public construction project had started without the SWPPP's being implemented. According to City representatives, the City's standard practice is to notify developers and construction crews at the pre-construction meeting that construction is not to begin until the SWPPP is implemented. The City Inspector attended the pre-construction meeting for this City project, but construction started without BMPs in place.
- A City bridge construction project had been delayed, and the site had not been adequately protected for erosion during the wet season while the site was inactive; however, the City inspector found the site to be in compliance. Excessive disturbed land areas were noted around the site, including an area where land had recently been disturbed for utility work but lacked proper BMPs to stabilize the site after the work was completed.

- None of the sites visited were adequately protected. The City’s program relies heavily on sediment control or treatment and does not require the implementation of an effective combination of erosion and sediment control measures. Some sediment control measures observed in the field were ineffective; for example, straw wattles and silt fences were not properly installed, and sedimentation basins were not appropriately sized. Other commonly used BMPs, such as good housekeeping, material storage, and waste management BMPs, were not implemented at most sites. City inspectors could not verify where water was taken or pumped to once it was removed or pumped from the sediment basins. Some sites were inactive during the winter, but adequate erosion controls had not been implemented at the sites during the inactive period. The City inspectors did not ask about or address observed non-stormwater discharges at one site.
- The SWPPP inspectors indicated that they use a site’s SWPPP developed under the State’s General Permit as the mechanism to ensure compliance; however, the inspectors did not consistently ask to review the SWPPP. Conditions noted during the field visit indicated that most sites visited were not compliant with the requirements of the State’s General Permit.
- *The City has not audited the inspection activities of its SWPPP inspectors.*
The SWPPP inspectors are part of the Water Resources Department, which is responsible for implementing the City’s stormwater program. The SWPPP inspectors are not audited to ensure that they are implementing the City’s program adequately, effectively, or consistently; however, the Annual Report has reported that the inspection program is “effective.” The City should develop a procedure for conducting periodic audits of its SWPPP inspectors to make sure the program is being implemented in a manner that will ensure compliance and to identify training needs.
- *The Public Works engineering inspectors do not carry or distribute any outreach materials during their construction inspection activities.*
The Public Works inspectors indicated that they rely on the Water Resources SWPPP inspectors to provide outreach material to construction site representatives if needed because the SWPPP inspectors are the “experts.” Although it is appropriate and effective for SWPPP inspectors to conduct a follow-up compliance assistance inspection at a site, all City construction site inspectors should be knowledgeable of available outreach material and should carry it with them to sites. It might not be an ineffective use of City resources to call a SWPPP inspector out to a site to provide outreach material for minor issues that could be quickly resolved by the Public Works inspector with the use of a City brochure or other outreach material.
- *The City has not developed a construction site inspection checklist tailored for the stormwater program.*

The City has not revised its construction site inspection form to include appropriate references to the stormwater program or construction site BMPs. This raises a concern that the City inspectors are not implementing consistent inspection techniques or evaluation of construction site BMPs. The City’s current forms are not effective tools to help or guide inspectors. As noted during the field portion of the evaluation, the lack of a standard form has led to inspection protocols that differ in

level of detail among inspectors. A comprehensive form would help to guide the inspections, improve consistency among inspectors, and ensure compliance with the City's requirements. Carbonless forms printed in triplicate would help to streamline the violation notice and enforcement process because inspectors would not have to go to the office to make copies and then return to the site to provide a copy to the construction site operator. In addition, a list of corrective actions with compliance and reinspection dates would be helpful for both the inspectors and the site operator.

Positive Attribute:

- *The City goes beyond permit requirements and requires all projects to be reviewed for compliance with stormwater requirements.*
All projects within the City go through reviews for compliance with stormwater quality. The City has developed a handout containing recommended BMPs; it is tailored for small, single, custom home lots.
- *The City requires a pre-construction meeting and inspection of all construction sites to ensure that stormwater pollution prevention plans (SWPPPs) are implemented prior to construction.*
Each construction project must submit a schedule for SWPPP development and implementation before the mandatory pre-construction meeting is held. The City requires a mandatory inspection before the start of construction to ensure that the SWPPP and BMPs have been implemented.

- *The Water Resources Department has three dedicated SWPPP inspectors.*

The City has three dedicated SWPPP inspectors that conduct construction site visits and provide support to the Public Works inspectors. The SWPPP inspectors provide stormwater program expertise, are used as backup during enforcement, and provide compliance assistance to construction sites. The three SWPPP inspectors are fully responsible for conducting site visits once building construction begins instead of the City using its building code inspectors.

2.3 Evaluation of Municipal Facilities Program

Potential Permit Violation:

- *The City has not developed a SWPPP for its corporation yard.*

The City recently constructed a new corporation yard that houses and maintains City buses. This site is required to obtain coverage under the State General Permit for Industrial Activities and to develop, implement, and maintain a SWPPP. At the time of the evaluation, the City had not yet developed a SWPPP for the site.

Deficiency Noted:

- *The City has not provided adequate training to staff and contractors directly involved in municipal maintenance activities for the City.*
During the field portion of the evaluation, the evaluation team noted that additional on-the-job training is warranted for City staff responsible for implementing municipal activity BMPs. Staff should be more aware of the BMPs to be implemented and their responsibility in implementing the BMPs. Staff should also be aware that contractors

conducting work for the City or at City facilities must also implement appropriate and adequate BMPs. When contractors are used, the City remains fully liable for compliance with all components of its permit and SWMP, even for those activities conducted by contractors. To ensure that municipal activity BMPs are implemented effectively, the City should provide oversight of its contractors. The City should develop (1) a procedure for oversight of each activity, (2) contract language obligating contractors to follow permit requirements and guidelines, and (3) performance standards reflecting the City's oversight role that will be incorporated into the Annual Report. Adequate oversight might involve accompanying crews at work sites to ensure that effective procedures are being followed.

- *The City has not entered into a written agreement with the Community Services District (CSD) to implement elements of its program and has not provided training to the CSD or adequate oversight of CSD activities.*

The CSD conducts maintenance activities related to upkeep of the parks and recreational areas within the City limits and vegetation control along road medians and corridors within the City. The CSD uses and applies chemicals throughout the City. Although the CSD is conducting this activity, the City remains fully liable for compliance with all components of its permit and SWMP. During the evaluation a phone interview was conducted with a representative of the CSD, and the following deficiencies were noted:

- The City and the CSD have not developed written protocols for landscaping BMPs.
- CSD staff and managers require training and education on the City's SQIP and permit requirements, including extensive training on applicable BMPs and reporting requirements for the City.
- CSD management is not adequately auditing CSD staff to ensure the compliance of BMPs.
- City of Elk Grove staff are not providing adequate oversight of CSD activities to ensure full compliance with the City's SQIP and permit.
- No written agreement between the City and the CSD has been implemented to ensure that activities conducted by the CSD do not cause the City to be in noncompliance with its permit.

The City must develop and implement a program to address the activities of the CSD within the City limits. At a minimum, the City should enter into a written agreement with the CSD and provide training as soon as reasonably possible to CSD staff and managers. The City should seek the assistance of the Regional Board if the CSD does not enter into a written agreement with the City by requesting that the Regional Board to consider naming the CSD as a co-permittee to the City's permit or consider issuing the CSD a separate stormwater permit for its activities conducted within the City and County area.

- *The City has not developed an operation and maintenance manual for the treatment BMPs being implemented at its corporation yard.*

The City was proactive in designing and constructing new development BMPs at its newly constructed corporation yard; however, the City has not developed O&M manuals for the BMPs, and without such documents the BMPs might fail or be ineffective.

- *The City has not conducted an assessment and evaluation of its current municipal activities to ensure that adequate and appropriate BMPs are being implemented.*

The City's staff and contractors conduct many activities that have not been adequately assessed and evaluated to identify which activities are BMPs, which activities need to be revised to be BMPs, which activities need to be eliminated, and where new BMPs are needed. Until this is done, the City cannot consider its municipal activities program effective. Once the City has completed its initial assessment, the City should consider developing standard operating procedures and using fact sheets as a tool in implementing municipal activities BMPs and relating to City staff and contractors.

Positive Attribute:

- *City staff walked, observed, and assessed all creeks and basins within the City's jurisdictional area.*

To adequately assess the condition of receiving waters that could be affected by the City's stormwater runoff, City staff conducted a walking audit of water bodies in the City. This audit was used as part of the City's overall basin study and cleanup program.

- *The City recently constructed a new corporation yard, which has minimized the activities to be conducted outdoors, and implemented new development BMPs.*

The City is implementing appropriate new development and source control BMPs at its own facility in compliance with its MS4 permit.

2.4 Evaluation of Industrial/Commercial Inspection Program

According to in-office discussions with the County of Sacramento's Environmental Management Department (EMD), the contractor responsible for implementing this program, the industrial user inspection and enforcement program is adequate. As recommended in the "Program Areas Recommended for Further Evaluation" in Section 1.6 of this report, the City should conduct an audit of the EMD inspections to validate and verify that inspections are being conducted adequately and effectively.

2.5 Evaluation of Public Outreach and Training

Deficiencies noted:

- *The City has not developed a written training plan.*

The City currently implements a training program that is not targeted. It tends to be broadly based to address a large number of staff, and most training conducted to date

has been focused on new development and construction activities. Throughout the evaluation, the need for specific training for different City staff and departments was noted. The City should develop a written training plan to identify the training needs within the City and the type of curriculum that should be developed. The training program should include both focused and general training.